

REMARKS

In the Office Action of 6 August 2004, the examiner allowed all claims (1-23). However, the examiner requested the correction of several informalities in claims 3, 4, 5, and 11. Applicant makes the requested corrections in the above amendments, thereby placing the instant application in condition for immediate allowance. (Note that Applicant made one additional informality correction in claim 4 that was not explicitly noted by the examiner—see line 2 of claim 4, where “said non-preferred set” was changed to “a non-preferred set” for consistency with claim 3.)

As for the examiner's comments regarding the need to explain the relevancy of the foreign patent application document DE 19843664 A identified in Applicant's IDS of 4 October 2002, Applicant respectfully refers the examiner to Section 609 A(3) of the MPEP (8th Ed. Rev. 2). According to that section of the MPEP, an applicant fulfills the requirement for providing a concise explanation of a non-English language reference cited in a search report by a foreign patent office in a counterpart foreign application by submitting an English-language version of the search report.

Applicant fully complied with that requirement by submitting an English-language copy of the International Search Report that identified the DE 19843664 A reference and indicated it as having a relevance of “X.” (Note that Applicant encloses herewith an English language abstract as obtained from the European Patent Office's web site on the mailing date of this response as an additional convenience to the examiner.) Therefore, the examiner must make DE 19843664 A part of the official examination record, so that the examiner's consideration of such as being duly and timely submitted by Applicant is noted in the prosecution record, and on the face of the issuing patent.

Thus, with Applicant having previously complied with all disclosure requirements regarding the above-cited document, and with correction of the noted claim informalities by

amendment herein, the instant application with all pending claims now stands in condition for allowance. The undersigned attorney therefore looks forward to the examiner's next correspondence indicating such allowance, and respectfully asks the examiner to call him should any issues remain unresolved.

Respectfully submitted,

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